

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00236-MR-WCM

AFARRAH CHARDAE SANDERS
as Administrator of the Estate of
Jackie Israel Sanders

Plaintiff,

v.

RYAN BAILEY, CODY MCINTYRE,
DEREK DEATON, HUNTER HAYNES,
JEFF SMITH, JOSHUA J. KUJAWA,
MATTHEW OWENS,
WILMER CHAVEZ-PEREZ,
CRAIG KELLER, ELIZABETH SPROUSE,
JOHN COOLEY, JOSHUA GOODWIN,
CHRIS FRANCIS, TIM WRIGHT

Defendants.

ORDER

This matter is before the Court on Defendants' Motion to Excuse Attendance of Individual Defendants from Mediation (the "Motion," Doc. 23).

In the Motion, Defendants represent that they have scheduled mediation for October 12, 2022 and request, with the consent of Plaintiff, that defendants Chris Francis, Cody McIntyre, Derek Deaton, Hunter Haynes, Wilmer Chavez-Perez, Elizabeth Sprouse, John Cooley, Joshua Goodwin, Tim Wright, and Joshua Kujawa be excused from attending in person. Doc. 23. Defendants further represent that defendants Jeff Smith, Ryan Bailey, Matt Owens, and Craig Keller will be attending the mediation (either in person or via zoom)

along with counsel and other representatives, and that all attendees will have full settlement authority to resolve all claims against all Rutherford and Polk County Defendants.

For the reasons stated in the Motion, the undersigned will allow the request, provided that Defendants obtain the mediator's express consent, prior to the October 12 mediation, for defendants Chris Francis, Cody McIntyre, Derek Deaton, Hunter Haynes, Wilmer Chavez-Perez, Elizabeth Sprouse, John Cooley, Joshua Goodwin, Tim Wright, and Joshua Kujawa to be excused from attending the mediation in person.

IT IS THEREFORE ORDERED that Defendants' Motion to Excuse Attendance of Individual Defendants from Mediation (Doc. 23) is **GRANTED**, subject to the requirement set out above.

Signed: September 27, 2022

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

